

## **MINUTES**

### **MONTANA SENATE 60th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON PUBLIC HEALTH, WELFARE AND SAFETY**

**Call to Order:** By **CHAIRMAN DAN WEINBERG**, on March 16, 2007 at 3:00 P.M., in Room 317-A Capitol.

#### **ROLL CALL**

##### **Members Present:**

Sen. Dan Weinberg, Chairman (D)  
Sen. Lynda Moss, Vice Chairman (D)  
Sen. John Cobb (R)  
Sen. John Esp (R)  
Sen. Kim Gillan (D)  
Sen. Terry Murphy (R)  
Sen. Jerry O'Neil (R)

##### **Members Excused:**

Sen. Trudi Schmidt (D)  
Sen. Carol Williams (D)

**Members Absent:** None.

**Staff Present:** Prudence Gildroy, Committee Secretary  
Lisa Mecklenberg Jackson, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

##### **Committee Business Summary:**

Hearing & Date Posted: HB 359, 3/8/2007; HB 437, 3/8/2007;  
HB 577, 3/8/2007  
Executive Action: HB 64; HB 92; HB 98; HB 117; HB  
118; HB 120; HB 157

00:00:00

**HEARING ON HB 359**

**Opening Statement by Sponsor:**

00:01:20 **REP. ERNIE DUTTON (R)**, HD 56, opened the hearing on **HB 359**, Individual medical lab test without physicians orders.

**EXHIBIT (phs56a01)**

00:15:20 Sen. Weinberg to Rep. Dutton

00:15:51 Rep. Dutton

**EXHIBIT (phs56a02)**

**Proponents' Testimony:** None.

**Opponents' Testimony:**

00:18:42 Craig Linke, St. Peter's Hospital

**Informational Testimony:**

00:22:43 Ann Weber, Laboratory Services Bureau Chief, Department of Public Health and Human Services (DPHHS)

00:23:09 Carrie Biskupiak, DPHHS

**Questions from Committee Members and Responses:**

00:25:15 Sen. Moss to Rep. Dutton

00:27:17 Sen. Esp to Rep. Dutton

00:28:58 Sen. Weinberg to Rep. Dutton

00:37:34 Sen. Weinberg to Ann Weber

00:39:48 Sen. O'Neil to Rep. Dutton

**Closing by Sponsor:**

00:43:04 Rep. Dutton

**HEARING ON HB 437**

**Opening Statement by Sponsor:**

00:44:21 **REP. DAVE GALLIK (D), HD 79**, opened the hearing on **HB 437**, Dispute resolution clause in social services contracts.

**Proponents' Testimony:**

00:45:53 Charlie Briggs, Montana Association of Community Disability Services

**EXHIBIT (phs56a03)**

00:51:03 Jan Cahill, Quality Life Concepts

**Opponents' Testimony:** None.

**Informational Testimony:**

00:52:13 Russell Cater, Chief Legal Counsel, DPHHS

**Questions from Committee Members and Responses:**

00:52:34 Sen. Gillan to Russell Cater

00:55:16 Sen. Esp to Rep. Gallik

00:56:06 Sen. Weinberg to Rep. Gallik

00:57:33 Sen. Weinberg to Russell Cater

00:58:35 Sen. O'Neil to Russell Cater

01:00:43 Sen. Weinberg to Rep. Gallik

**Closing by Sponsor:**

01:01:57 Rep. Gallik

**HEARING ON HB 577**

**Opening Statement by Sponsor:**

01:03:35 **REP. MARY CAFERRO (D), HD 80**, opened the hearing on **HB 577**, Children's health care act.

**Proponents' Testimony:**

01:06:09 Julia Vincent, Helena  
01:07:42 Moe Wosepka, Montana Catholic Conference  
01:10:02 Rev. Brady Vardemann, Montana Association of Churches  
01:11:19 Carrie McDowell, Parent  
01:12:08 Olivia Riutta, Working for Equity and Economic  
Liberation (WEEL)  
01:14:12 Jackie Helt, President, Montana AFL-CIO  
01:14:33 Jennifer Hill-Hart, Montana Coalition Against Domestic  
and Sexual Violence  
01:15:18 Jani McCall, Billings Clinic, Montana Providers  
Association  
01:15:37 Sami Butler, Intermountain Children's Home  
01:16:08 Amanda Arnold, Montana Human Rights Network

**EXHIBIT (phs56a04)**

01:17:25 Susan Kidd, WEEL

**Opponents' Testimony:** None.

**Informational Testimony:**

01:18:48 Duane Pressinger, DPHHS

**Questions from Committee Members and Responses:**

01:19:10 Sen. Cobb to Rep. Caferro  
01:22:51 Sen. Murphy to Rep. Caferro  
01:24:23 Sen. Cobb

**Closing by Sponsor:**

01:25:08 Rep. Caferro

**EXECUTIVE ACTION ON HB 64**

01:26:50 **Motion/Vote:** SEN. COBB moved that HB 64 BE CONCURRED IN. Motion carried 9-0 by voice vote with SEN. ESP, SEN. SCHMIDT AND SEN. WILLIAMS voting aye by proxy.

*Sen. Esp will carry HB 64 in the Senate.*

**EXECUTIVE ACTION ON HB 92**

01:28:23 **Motion:** SEN. COBB moved that HB 92 BE CONCURRED IN.

**Discussion:**

01:28:54 Sen. Weinberg

01:29:07 **Vote:** Motion carried 9-0 by voice vote with SEN. SCHMIDT AND SEN. WILLIAMS voting aye by proxy.

*Sen. Gillan will carry the bill in the Senate.*

**EXECUTIVE ACTION ON HB 98**

01:30:17 **Motion:** SEN. MOSS moved that HB 98 BE CONCURRED IN.

**Discussion:**

01:31:22 Sen. O'Neil

01:31:30 Sen. Moss

01:31:46 **Vote:** Motion carried 9-0 by voice vote with SEN. SCHMIDT AND SEN. WILLIAMS voting aye by proxy.

*Sen. Cobb will carry the bill in the Senate.*

**EXECUTIVE ACTION ON HB 117**

01:32:39 **Motion:** SEN. MOSS moved that HB 118 BE CONCURRED IN.

**Discussion:**

01:32:50 Sen. Weinberg

01:33:03 **Motion:** SEN. MOSS moved that AMENDMENT HB011701.ALJ BE ADOPTED.

**Discussion:**

**EXHIBIT** (phs56a05)

01:33:16 Lisa Jackson

01:33:41 Sen. O'Neil

01:34:23 Lisa Jackson

01:34:40 **Vote:** Motion carried 8-1 by voice vote with SEN. O'NEIL voting no. SEN. SCHMIDT AND SEN. WILLIAMS voted aye by proxy.

*Sen. Schmidt will carry the bill in the Senate.*

**EXECUTIVE ACTION ON HB 118**

01:35:51 **Motion:** SEN. COBB moved that HB 118 BE CONCURRED IN.

**Discussion:**

01:36:39 Sen. O'Neil

01:36:53 Lisa Jackson

01:37:03 Sen. O'Neil

01:37:21 Sen. Esp

01:37:27 Sen. Weinberg

01:37:44 Sen. Cobb

01:38:21 Sen. Moss

01:38:30 Sen. Weinberg

01:38:43 Sen. O'Neil

01:38:57 **Vote:** Motion carried 9-0 by voice vote with SEN. SCHMIDT AND SEN. WILLIAMS voting aye by proxy.

*Sen. Lind will carry the bill in the Senate.*

**EXECUTIVE ACTION ON HB 120**

01:39:44 **Motion/Vote:** SEN. COBB moved that HB 120 BE CONCURRED IN. Motion carried 8-1 by voice vote with SEN. GILLAN voting no. SEN. SCHMIDT AND SEN. WILLIAMS voted aye by proxy.

*Sen. Moss will carry the bill in the Senate.*

**EXECUTIVE ACTION ON HB 157**

01:41:22 **Motion/Vote:** SEN. COBB moved that HB 157 BE CONCURRED IN. Motion carried 9-0 by voice vote with SEN. SCHMIDT AND SEN. WILLIAMS voting aye by proxy.

*Sen. Cobb will carry the bill in the Senate.*

**ADJOURNMENT**

Adjournment: 4:44 P.M.

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SEN. DAN WEINBERG, Chairman

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PRUDENCE GILDROY, Secretary

DW/pg

Additional Exhibits:

**EXHIBIT ([phs56aad.pdf](#))**